

1 text messages, so I have not --

2 BY MS. MOTLEY:

3 Q You have a cell phone?

4 A Correct.

5 Q Do any of City of Wauwatosa employees ever text you on
6 your cell phone?

7 A IT staff does for emergencies and things like that.

8 Q Do any other City of Wauwatosa employees or elected
9 officials ever text you on your cell phone?

10 A Yes, and again, more specifically to -- to IT's
11 functionality, yes.

12 Q Has anyone told you that you needed to preserve any text
13 messages from May 25th, 2020 until today's date in
14 relation to this lawsuit, in relation to civil unrest,
15 in relation to protesting in the City of Wauwatosa? Did
16 anyone tell you that you needed to preserve your text
17 messages?

18 MS. ZELLNER: And I would object, same
19 objection, if it calls for attorney/client
20 communications, otherwise, you can answer.

21 THE WITNESS: Outside of attorney client, I
22 can't answer that, I guess.

23 BY MS. MOTLEY:

24 Q Okay. Outside of your attorney, has anyone told you to
25 preserve your information on your cell phone?

1 A No.

2 Q Okay. So that would include the City of Wauwatosa
3 Attorney Alan Kesner as well, correct?

4 MS. ZELLNER: Objection, the objection is to
5 any attorney/client communications with any attorney.

6 MS. MOTLEY: That is not attorney/client
7 privilege. Alan Kesner works for the City of Wauwatosa.
8 He's not your attorney. That information would not be
9 privileged.

10 MS. ZELLNER: He's an attorney for this --

11 MS. MOTLEY: That is not how privilege works,
12 Kiley.

13 BY MS. MOTLEY:

14 Q The question is: Other than your actual attorneys, has
15 anyone including the city attorney for Wauwatosa told
16 you that you needed to preserve your text messages from
17 May 25th of 2020 until now?

18 A I will have to check my records for that.

19 Q Where would you need to check your records for that, in
20 e-mail?

21 A E-mail, correct.

22 Q What is your e-mail address?

23 A J-A-L-I@Wauwatosa.net.

24 Q And does Alan Kesner typically e-mail you to this e-mail
25 address?